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**MAILED**

OCT 18 2012

**OFFICE OF PETITIONS**

In re Patent No. 5,915,650 :  
Issue Date: 06/29/1999 :  
Application Number: 08/891,302 :  
Filing Date: 07/10/1997 :  
For: AIRCRAFT WING WITH DUAL  
AXIS MOBILITY :

LETTER

MS  
PCP  
C-3  
C-150  
S-PDF  
LJ-AAS

This is a letter in reference to the letter filed on October 5, 2012, concerning the expiration of the above-identified patent.

This patent expired on July 29, 2007, for failure to pay the second (7 ½ year) maintenance fee.

It is noted that patentee asserts that his former patent counsel did not forward to the USPTO the first maintenance fee payment. Patentee has submitted a copy of a check dated May 4, 2003, showing the payment to counsel. A review of Office financial records, however, reveals that the first maintenance fee payment was received on June 28, 2003. As such, the showing of record is that petitioner's counsel did timely submit the first maintenance fee payment to the Office.

Rather, the patent became expired for failure to timely pay the second (7 ½ year) maintenance fee payment, for which the window for payment opened on June 29, 2006. The maintenance fee was due with a surcharge on December 30, 2006. On June 29, 2007, the window for payment closed and the patent became expired.

Additionally, the third (11 ½ year) payment was due on June 29, 2011.

Patentee may wish to consider filing a petition under 37 CFR 1.378(b), requesting that the Office accept an unavoidably delayed maintenance fee payment. Such a petition would need to be accompanied by payment of the requisite second and third maintenance fees (currently \$1,450.00 and \$2,405.00 for a small

entity), the surcharge required by § 1.20(i)(1) (currently \$700.00), and a **showing** that the delay was unavoidable. Should patentee choose to file a petition under 37 CFR 1.378(b), the total fee currently due would be \$4,555.00.

Form PTO/SB/65 has been enclosed for patentee's convenience should patentee wish to file the petition.

Further correspondence with respect to this matter should be addressed as follows:

By mail:            Mail Stop PETITIONS  
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By hand:            Customer Service Window  
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                          401 Dulany Street  
                          Alexandria, VA 22314

By fax:            (571) 273-8300  
                          ATTN: Office of Petitions

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3231.

*D. Wood*  
Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions

Encl:            PTO/SB/65